

Message Text

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ACTION EB-07

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FM AMEMBASSY KINGSTON

TO SECSTATE WASHDC 6512

C O N F I D E N T I A L KINGSTON 4543

EO 11652: GDS

TAGS: EAIR, JM, US

SUBJECT: CIVAIR: FOJ REQUESTS CONSULTATIONS ON AIR AGREEMENT
WITH US

REF: KINGSTON 2419

1. FOLLOWING ARE SALIENT PORTIONS OF TEXT DIP NOTE
RECEIVED BY EMBASSY FROM MEA REQUESTING CONSULTATIONS ON AIR
AGREEMENT:

" THE MINISTRY OF EXTERNAL AFFAIRS PRESENTS ITS COMPLIMENTS
TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND HAS THE
HONOUR TO REFER TO THE AIR TRANSPORT AGREEMENT BETWEEN THE
GOVERNMENT OF JAMAICA AND THE GOVERNMENT OF THE UNITED STATES
OF AMERICA SIGNED AT KINGSTON ON OCT 2,1969, AND ALSO
THE EXCHANGE OF NOTES DATED OCT 2, 1969, RELATING TO
THE AIR TRANSPORT AGREEMENT

" THE EXCHANGE OF NOTES RECORDS CERTAIN UNDERSTANDINGS WHICH
WERE ACCEPTABLE TO BOTH GOVERNMENTS ONE OF WHICH READS AS
FOLLOWS:

'5. IN KEEPING WITH THE OBJECTIVE THAT THE ROUTES
PROVIDED IN THE SCHEDULE TO THE AGREEMENT SHOULD AT ALL
TIMES REFLECT AN EQUAL EXCHANGE OF ECONOMIC OPPOR-
TUNITIES FOR THE DESIGNATED AIRLINES OF BOTH CON-
TRACTING PARTIES IN THE LIGHT OF CHANGING CIRCUM-
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STANCES, THE CONTRACTING PARTIES WILL, AT THE

REQUEST OF EITHER, CONSULT IN 1974 FOR THE PURPOSE
OF REVIEWING THE SCHEDULE.'

" IN THE LIGHT OF CHANGING CIRCUMSTANCES SINCE THE
AGREEMENT WAS SIGNED AND OTHER FACTORS, THE GOVERNMENT
OF JAMAICA CONSIDERS THAT THE ROUTES PROVIDED IN THE
SCHEDULE TO THE AGREEMENT NOW REFLECT ADVERSELY TO
JAMAICA THE BALANCE OF ECONOMIC OPPORTUNITIES FOR THE
DESIGNATED AIRLINE OF JAMAICA AND REQUESTS CONSULTATIONS
WITH THE GOVERNMENT OF THE UNITED STATES OF AMERICA IN
1974 FOR THE PURPOSE OF REVIEWING THE SCHEDULE. IF THE
GOVERNMENT OF THE UNITED STATES OF AMERICA FINDS THAT IT
WILL NOT BE CONVENIENT TO HOLD THESE DISCUSSIONS IN 1974,
THE GOVERNMENT OF JAMAICA WILL BE WILLING TO POSTPONE THE
CONSULTATIONS UNTIL A MUTUALLY CONVENIENT DATE EARLY
IN 1975."

2. REQUEST FOR CONSULTATIONS STEMS FROM
FOJ CONCERN ABOUT PENDING AIR JAMAICA
APPLICATION (REFTEL) FOR RENEWAL AND AMENDMENT
OF ITS FOREIGN AIR CARRIER PERMIT (CAB DOCKET 26431).
MINCOMMUNICATIONS BELL HAS TOLD AMBASSADOR THAT GOJ UNDER-
STANDS FROM 'GRAPEVINE' THAT WHITE HOUSE DECISION ON
APPLICATION IMMINENT AND THAT IT WILL LIMIT PERIOD
OF RENEWAL TO THREE YEARS INSTEAD OF THE FIVE YEARS
RECOMMENDED BY THE ADMINISTRATIVE LAW JUDGE IN HIS
DECISION OF JULY 16, 1974. BELL MOST CONCERNED BY
'GRAPEVINE' INFO FOR WITHOUT AT LEAST FIVE YEAR PERMIT
AIR JAMAICA FINANCING OF ADDITIONAL AIRCRAFT AND OTHER
OPERATIONS WILL BE EXTREMELY DIFFICULT IF NOT
IMPOSSIBLE.

3. EMBASSY WOULD APPRECIATE RECEIVING ASAP INFO ON
CURRENT STATUS OF AIR JAMAICA APPLICATION, AND DATE IT
CAN COMMUNICATE TO GOJ FOR
REQUESTED CONSULTATIONS. GERARD

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